



FEDERAL ELECTION COMMISSION
Washington, DC 20463

NOV 24 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Brooks T. Kochvar
Friends of Gordon Smith
228 South Washington, Suite 115
Alexandria, VA 22314

RE: MUR 6037
Jeff Merkley for Oregon and Kevin
Neely, in his official capacity as
treasurer
Jeff Merkley
Democratic Party of Oregon and
Laura Calvo, in her official capacity
as treasurer
Democratic Senatorial Campaign
Committee and John B. Poersch,
Jr., in his official capacity as
treasurer

Dear Mr. Kochvar:

The Federal Election Commission has considered the allegations contained in your complaint dated July 8, 2008, and your supplement to the complaint, dated July 16, 2008, but there were an insufficient number of votes to find reason to believe that Jeff Merkley for Oregon and Kevin Neely, in his official capacity as treasurer, Jeff Merkley, the Democratic Party of Oregon and Laura Calvo, in her official capacity as treasurer, and the Democratic Senatorial Campaign Committee and John B. Poersch, Jr., in his official capacity as treasurer, violated the Federal Election Campaign Act of 1971, as amended. Accordingly, on November 17, 2009, the Commission closed the file in this matter. A Statement of Reasons explaining the Commission's decision will follow.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003).

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8). If you have any

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questions, please contact Shana M. Broussard, the attorney assigned to this matter at (202) 694-1650.

Sincerely,

Thomasenia P. Duncan
General Counsel



BY: Mark Allen
Assistant General Counsel

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